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	Application No.	Applicant(s)		
Notice of Allowability	10/773,119	DESIE ET AL.		
	Examiner	Art Unit		
	Jeff Natalini	2858		
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap ) or other appropriate communicatio IGHTS. This application is subject	oplication. If not include n will be mailed in due	ed course <b>THIS</b>	
1. $\boxtimes$ This communication is responsive to <u>RCE filed 10/23/06</u> .				
2. The allowed claim(s) is/are 10-15,18,22,23 and 29-38.				
<ul> <li>3.  Acknowledgment is made of a claim for foreign priority unally All b)  Some* c) None of the:</li> <li>1.  Certified copies of the priority documents have 2.  Certified copies of the priority documents have 3.  Copies of the certified copies of the priority documents have a copies of the copies of the priority documents have a copies of the copies of t</li></ul>	e been received. e been received in Application No		tion from the	
International Bureau (PCT Rule 17.2(a)).	,			
* Certified copies not received:				
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		ocomplying with the red	quirements .	
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which giv			IOTICE OF	
5. CORRECTED DRAWINGS ( as "replacement sheets") mu	st be submitted.			
(a) ☐ including changes required by the Notice of Draftsper	son's Patent Drawing Review ( PTC	9-948) attached		
1) 🗌 hereto or 2) 📗 to Paper No./Mail Date			•	
(b) including changes required by the attached Examiner	's Amendment / Comment or in the	Office action of		
Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the same of the sam	1.84(c)) should be written on the draw the header according to 37 CFR 1.121	ings in the front (not the	e back) of	
6. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT	sit of BIOLOGICAL MATERIAL	must be submitted.	Note the	
Attachment(s)	5. Motion of Informal	Datant Application		
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftperson's Patent Drawing Review (PTO-948)</li> </ol>	<ol> <li>5. ☐ Notice of Informal life</li> <li>6. ☐ Interview Summary</li> </ol>	* *		
	Paper No./Mail Da	ate		
3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date	7. 🛛 Examiner's Amend	lment/Comment		
4.   Examiner's Comment Regarding Requirement for Deposit	8.  Examiner's Statem	8.   Examiner's Statement of Reasons for Allowance		
of Biological Material	9.			
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# **DETAILED ACTION**

## Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/23/06 has been entered.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph Guy on October 30, 2006.

The application has been amended as follows:

Claim 22, line 3 --, comprising-- is deleted.

# Allowable Subject Matter

Claims 10-15, 18, 22, 23, and 29-38 are allowed.

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# Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Natalini whose telephone number is 571-272-2266. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeff Natalini

ANDREW H. HIRSHFELD SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2800

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